



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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Ms. Phillis Johnson-Ball
Section of Environmental Analysis
Surface Transportation Board
Case Control Unit
395 E Street, SW
Washington, D.C. 20423

RE: Supplemental Wetlands Information for the
Central Utah Rail Project DEIS
Surface Transportation Board Docket
Number FD34075

Dear Ms. Johnson-Ball;

Thank you for providing us with an electronic copy of the March 6, 2008 letter from the Six County Association of Governments* ("Applicant") legal counsel on the feasibility of a conceptual route modification at the northern terminus of the proposed rail line in the Chicken Creek Reservoir area. We understand this letter was in response to the concern stated in our , October 18, 2007 letter that the range of alternatives presented in the Draft Environmental Impact Statement (DEIS) for the Central Utah Rail Project may not include all reasonable alternatives as required by National Environmental Policy Act (NEPA) regulations in 40 CFR Section 1502.14.

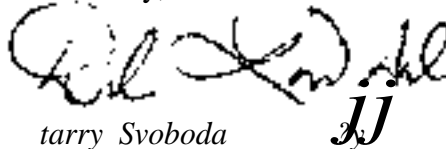
The letter from the Applicant's legal counsel acknowledges that the route modification it analyzed as a potential additional alternative would reduce the impact on wetlands in the northern terminus area in/around Chicken Creek Reservoir. However, this letter also concludes that this route modification could not be implemented without adversely impacting agricultural lands in this area. While we recognize that this particular route modification could result in the loss of agricultural lands, we believe it would be premature to conclude that no reasonable alternatives exist without conducting a detailed assessment of the wetlands resources in this area as stated in our earlier letter. This would include, in cooperation with the Army Corps of Engineers (USCOE), development and implementation of methods to: 1) more definitively determinate the number of wetland acres and their location in this area; 2) characterize the specific functions provided by these aquatic resources; and 3) determine the relative importance and value of these wetlands and associated effects of acreage losses.

We understand that the Surface Transportation Board (STB) supports a more robust and detailed assessment of the wetland resources in this area prior to the Applicant applying to the USCOE for a Clean Water Act Section 404 permit. We continue to maintain that conducting

such an assessment now would effectively meet the USCOE's informational needs for the subsequent Section 404 permitting process and facilitate development of the Supplemental Information needed for this DEIS by: 1) informing the feasibility of an additional alternative which significantly reduces impacts to wetland resources; 2) allowing for more accurate analysis of these impacts for all the alternatives; and 3) facilitating development of additional mitigation measures, monitoring plans, standards for measuring mitigation success, and a contingency plan in case of mitigation failure.

Thank you again for the opportunity to provide input into the development of the Supplemental Information to this DEIS. We look forward to continuing to work with the STB to address these wetlands issues, and to providing comments on the entire DEIS. If you have any questions, please contact me at (303) 312-6004 or Deborah Lebow-Aal of my staff at (303) 312-6223.

Sincerely,



Terry Svoboda

Director, NEPA Program

Office of Ecosystems Protection and Remediation

cc: Michael Jewell, USCOE, Sacramento
Terry Johnson, USCOE, Bountiful
Douglas Sakaguchi, Utah DWR
Betsey Herrmann, USF&WS

